

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court upon the motion of Montez L. Clayton to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255.

A review of the instant motion indicates that movant is attacking a federal criminal conviction and sentence that arose in the United States District Court for the Western District of Missouri.

See United States v. Montez, No. 4:18-CR-111-DGK-1.¹ A § 2255 motion is filed with the federal court that imposed the sentence. *See* 28 U.S.C. § 2255. Therefore, this Court may not consider the instant motion.

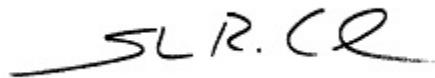
Pursuant to 28 U.S.C. § 1631, a court shall, if it is in the interest of justice, transfer such action to any other court in which the action could have been brought at the time it was filed. Because movant is proceeding pro se and is a prisoner, the Court will transfer this action to the Western District of Missouri.

¹The Court notes that movant's criminal case number was verified using the Administrative Office of the Court's U.S. Party/Case Index.

In accordance with the foregoing,

IT IS HEREBY ORDERED that the Clerk shall **TRANSFER** the instant motion to vacate, set aside, or correct the sentence to the United States District Court for the Western District of Missouri, pursuant to 28 U.S.C. § 1631.

Dated this 28th day of July, 2020.



STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE